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San Joaquin Valley Biomass Power Plants Fined More Than \$830,000 For Clean Air Act Violations

Action Reduces Facilities Air Emissions By Up To 545 Tons Per Year

SAN FRANCISCO - The U.S. Environmental Protection Agency and the San Joaquin Valley Air Pollution Control District today concluded enforcement actions against two biomass power plants in Chowchilla and El Nido, Calif. The two companies will pay a combined civil penalty of \$835,000 to resolve alleged violations of the federal Clean Air Act and District rules, including excess emissions of air pollutants such as nitrogen oxides – a precursor to ozone and fine particulate.

“EPA supports clean, renewable energy and understands the important role that biomass plants play by providing an alternative to agricultural burning,” said Jared Blumenfeld, EPA’s Regional Administrator for the Pacific Southwest region. “However, the San Joaquin Valley has some of the worst air quality in the nation. EPA, together with our state and local partners, will enforce against any facility that violates the law and further pollutes the air we breathe.”

Today’s actions require the facilities to install devices to improve monitoring and reporting of air pollutants; enhance automation of the control systems for nitrogen oxides emissions; and prepare more stringent control plans to minimize emissions of air pollutants. As a part of this action, the companies have installed controls that reduce emissions of nitrogen oxides by 180 tons per year and carbon monoxide by 365 tons per year. The EPA and District will continue to monitor both facilities for an additional two years to ensure completion of all requirements.

Ampersand Chowchilla Biomass, LLC, (ACB), and Merced Power, LLC, (MP), located within 12 miles of each other in the San Joaquin Valley, are required to pay \$328,000 and \$492,000, respectively; EPA and the District will split the penalty equally. ACP is also required to pay an extra \$15,000 to the District for a District-only violation.

After refurbishing the plants in 2007-2008, ACP and MP initiated operations in 2008. A joint investigation by the EPA and District found that ACP and MP violated the air permits issued to them by the District by:

- Emitting air pollutants including nitrogen oxides, sulfur dioxide, and carbon monoxide in excess of the permit limits;
- Failing to perform timely source testing to measure emissions of various air pollutants;

- Failing to properly install and operate an emissions control systems for nitrogen oxides, a precursor to ozone; and
- Failing to certify the continuous emissions monitoring systems.

The plants also violated various District rules including requirements for emissions control plans.

Biomass power plants use green waste from farms and other operations that would otherwise be subject to open burning, to generate power.

San Joaquin Valley exceeds the national health standards for ozone and particulate matter. Nitrogen oxides react with other chemicals to form ozone and small particles, both harmful to the public's health. Ozone and particulate matter affect the human respiratory system, and are linked to a variety of significant health problems ranging from aggravated asthma to premature death in people with heart and lung disease.

For more information on air pollutants, please visit:

<http://www.epa.gov/ebtpages/airairpollutants.html>.

For more information on the Clean Air Act, please visit:

<http://www.epa.gov/air/caa>.

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